

**ENTERED**

August 30, 2021

Nathan Ochsner, Clerk

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

In re:

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC.,Debtor.<sup>1</sup>

Chapter 11

Case No. 21-30725 (DRJ)

BRAZOS ELECTRIC POWER  
COOPERATIVE, INC.,

Plaintiff,

Adv. Proc. No. 21-03863 (DRJ)

v.

ELECTRIC RELIABILITY COUNCIL OF  
TEXAS, INC.,

Defendant.

**SCHEDULING ORDER**

A scheduling conference was held on August 27, 2021. Under the authority of Fed. R. Bankr. P. 7016 and Fed. R. Civ. P. 16, it is hereby **ORDERED** that:

1. The following deadlines and settings shall apply in the above referenced proceeding:

| EVENT   | DEADLINE           |
|---|--------------------|
| Deadline for Defendant to file Answer and motion to dismiss, abstain, or withdraw reference | September 14, 2021 |

<sup>1</sup> The Debtor in this chapter 11 case, along with the last four digits of its federal tax identification number is: Brazos Electric Power Cooperative, Inc. (4729). Additional information regarding this case may be obtained on the website of the Debtor's claims and noticing agent at <http://cases.stretto.com/Brazos>. The Debtor's address is 7616 Bagby Avenue, Waco, TX 76712.

| EVENT   | DEADLINE                      |
|---|-------------------------------|
| Deadline to join additional parties and for parties to intervene <sup>2</sup>   | September 20, 2021            |
| Deadline to exchange Rule 26(a)(1) initial disclosures  | September 22, 2021            |
| Deadline for Parties' Responses in opposition to any motions to dismiss, abstain, or withdraw reference   | September 28, 2021            |
| Deadline for Parties to respond and produce documents responsive to document requests served by August 31, 2021   | September 30, 2021            |
| Deadline for Parties' Responses to any motion to intervene  | October 4, 2021               |
| Deadline for Parties' Replies in support of motions to dismiss, abstain, or withdraw reference  | October 5, 2021               |
| Deadline for Parties' Replies in support of motions intervene   | October 11, 2021              |
| Hearing on motions to dismiss, abstain, withdraw reference, or intervention   | October 18, 2021 at 2 pm (CT) |
| Deadline to file motion to seek leave to amend the pleadings  | October 25, 2021              |
| All fact discovery shall be completed   | November 23, 2021             |
| Initial disclosure of experts the parties intend to call in their case in chief as required by Fed. R. Civ. P. 26(a)(2), including disclosure of expert reports | December 9, 2021              |
| Disclosure of any rebuttal experts as required by Fed. R. Civ. P. 26(a)(2), including disclosure of expert reports  | January 6, 2022               |

<sup>2</sup> The Parties agree that the Public Utility Commission of Texas may file a motion seeking leave to intervene after this deadline, and all Parties reserve the right to contest the intervention.

| EVENT  | DEADLINE                     |
|--|------------------------------|
| Deadline to file motions for summary judgment <sup>3</sup>             | January 6, 2022              |
| Pretrial disclosures pursuant to Fed. R. Civ. P. 26(a)(3)              | January 25, 2022             |
| Deadline to complete expert discovery                                  | January 28, 2022             |
| Objections to pretrial disclosures pursuant to Fed R. Civ. P. 26(a)(3) | February 8, 2022             |
| Joint Pretrial Statement   | February 11, 2022            |
| Pretrial hearing   | February 15, 2022 at 9:00 AM |
| Trial  | February 21-25, 2022         |

2. Any motions for summary judgment shall be filed after the close of fact discovery and prior to January 7, 2022. Any party who wishes to file a motion for summary judgment prior to the close of fact discovery must first seek court approval and establish cause.

3. Any changes in this schedule will only be made by further order of the Court, either orally at a hearing or in writing. Motions to extend these deadlines will be granted only for good cause beyond the control of the lawyers or parties in very limited circumstances.

4. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.

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<sup>3</sup> Responses to motions for summary judgment shall be filed within 21 days, and replies shall be filed within 7 days of any response.

5. The Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.

**Signed: August 30, 2021.**

  

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**DAVID R. JONES**  
**UNITED STATES BANKRUPTCY JUDGE**